

# **Exhibit AA**

The Town of Forestburgh Town Board held their regular monthly meeting on **Thursday, August 6, 2020** at the town hall.

Supervisor Hogue called the meeting to order at 7:00 p.m.

Roll Call: Present – Daniel S. Hogue, Jr., Supervisor  
Karen Ellsweig, Councilwoman  
Steve Budofsky, Councilman

Absent – Susan Parks Landis, Councilwoman  
John W. Galligan, Councilman

Recording  
Secretary – Joanne K. Nagoda, Town Clerk

Others  
Present – E. Danielle Jose-Decker, Attorney for the Town  
Richard Robbins, Planning Board Chair

**PUBLIC COMMENT – None.**

**MINUTES** – Clerk Nagoda submitted minutes of the July 2, 2020 regular town board meeting for review. **MOTION** by Councilman Budofsky, seconded by Councilwoman Ellsweig to accept the minutes as submitted. Vote: 3 ayes – 0 nays. Motion carried.

**GENERAL FUND VOUCHERS** - #138 - 168 in the sum of \$11,617.39 as set forth in abstract # 8 were audited for payment. **MOTION** by Councilman Budofsky, seconded by Councilwoman Ellsweig to pay all vouchers with the exception of the DEC fine voucher in the sum of \$1,950.00 which Attorney Jose will contact the DEC. Vote: 3 ayes – 0 nays. Motion carried.

**HIGHWAY FUND VOUCHERS** - #96 - 109 in the sum of \$99,279.06 as set forth in abstract # 8 were reviewed. Supervisor Hogue abstained as there are bills from his employer. **MOTION** by Councilwoman Ellsweig, seconded by Councilman Budofsky to acknowledge the highway fund vouchers. Vote: 2 ayes - 0 nays.

**ESCROW FUND VOUCHERS** - # 6 - 9 in the sum of \$1,723.01 as set forth in abstract # 6 were reviewed for payment. **MOTION** BY Councilman Budofsky, seconded by Councilwoman Ellsweig to pay escrow fund vouchers. Vote: 3 ayes – 0 nays. Motion carried.

#### **REPORTS –**

Supervisor Hogue submitted a report of monthly financial activity for the month of July 2020.  
Clerk Nagoda submitted a report of clerk fees and activity for the month of July 2020.  
Code Officer Gabbard submitted a report of building department fees and activity for July 2020.  
Justices Carroll and Gunther submitted reports of justice court fees and activity for July 2020.

**CORRESPONDENCE – None.**

#### **UNFINISHED BUSINESS –**

**SPECTRUM FRANCHISE AGREEMENT** – We have already scheduled the public hearing for the franchise agreement with Spectrum for September 3, 2020 at 7:00 pm. at the town hall. Discussion was held on being able to hold public hearings in person due to social distancing and the executive order. Clerk Nagoda suggested putting it in the legal notice that the town board would welcome e-mail and written comments and leave the hearing open for ten additional days for the public to comment.

**FALL CLEAN UP** – Highway Superintendent Ruggeri has offered dates of September 21 – 26, 2020 for fall clean up to replace that spring clean up that didn't occur due to the pandemic. He will schedule the times as we get closer. **MOTION** by Supervisor Hogue, seconded by Councilman Budofsky to hold the county sponsored clean up from September 21 – 26, 2020. Vote: 3 ayes – 0 nays. Motion carried.

**MONTHLY MEETING PROTOCOL** – I don't know what the boards thought is about moving forward, I know we have discussed using Zoom for meetings. Councilwoman Ellsweig stated that with the size of the basement of the town hall, the board can't even meet distancing rules. Outdoor meetings are fine until it gets cold. My only suggestion would be to use the fire house if they would allow it. Discussion

was held on holding Zoom meetings and Richard Robbins offered to administer a zoom meeting for the town board since that is what the planning board has been using should the board decide that is how you will have to proceed. It was suggested that all town board members sign into the next planning board meeting to see how the zoom meeting is done. Supervisor Hogue stated that he by no means, wishes to inhibit public comment, but we could have a meeting where 50 or 100 people want to talk and trying to control that could be problematic. Attorney Jose stated that Zoom now allows you have a waiting room and discussion was held on allowing people into the meeting and not leaving them in the waiting room. The September meeting will probably be here outside, Supervisor Hogue will check with the fire department and we may have to resort to zoom later on.

On another note, we did not have a primary election nor the school election due to us only having one door for entrance and exit. We don't know what will be for the upcoming general election – we will have to wait and see what the county and the state say.

#### NEW BUSINESS

**GOVERNMENT RETENTION SCHEDULE** – Clerk Nagoda explained that the state previously had a different records retention schedule for fire districts, school districts and municipalities. The Board of Regents has just approved a new retention schedule for use beginning August 1, 2020. We must adopt a new resolution accepting the new retention schedule and it must be done prior to January 1, 2021.

#### RESOLUTION # 10

**RESOLVED**, By the Town Board of the Town of Forestburgh that the Retention and Disposition Schedule for New York Local Government records (LGS-1), issued pursuant to Article 57-A of the Arts and Cultural Affairs Law, and contained legal minimum retention periods for local government records, is hereby adopted for use by all officers in legally disposing the valueless records listed therein.

**FURTHER RESOLVED**, that in accordance with Article 57-A:

- (a) Only those records will be disposed of that are described in Retention and Disposition Schedule for New York Local Governments (LGS-1), after they have met the minimum retention periods described therein;
- (b) Only those record will be disposed of that do not have sufficient administrative, fiscal, legal or historical value to merit retention beyond established legal minimum periods.

**MOTION** by Supervisor Hogue, seconded by Councilman Budofsky to adopt said resolution approving the new Retention and Disposition Schedule for New York Local Government Records (LGS-1). Vote: 3 ayes – 0 nays. Motion carried.

**“CARE” CONTRACT** – Councilman Budofsky has the new contract from CARE in Liberty, we have made the corrections that were requested. Discussion was held on the likes and dislikes in this contract and that it is in addition to our existing contract with Animal Hospital of Sullivan County, an to make the contract renew annually. Since Councilman Budofsky is also the dog control officer, we will have to hold this over for the September meeting. Matter tabled for full board attendance.

**LOST LAKE UPDATE** – Supervisor Hogue announced that Lost Lake has been sold. We had a meeting last week with the new owners, our engineer, building inspector, planning board chairman. They plan on building it as it was approved. They are going to replace all of the water and sewer lines that were installed and put the electric underground as well. They want to put in a better sewer system than what was planned and instead of a few large water tanks, they want to do several smaller tanks that won't be as obtrusive to the eye. They do plan on possibly having the gold course as it's part of the open space and other recreational amenities. They will have restaurants that are open to the public as well. They are looking to start selling home sites in approximately two years – once all of the infrastructure has been replaced/installed. Work will start quickly on this project. This will be all taxable and owned individually. Supervisor Hogue asked about inspections and the additional overload on our part time building inspector. They are willing to hire an outside inspection company to oversee all of the construction. There will be much more oversight than Lost Lake had.

**2021 BUDGET PROCESS** – By September 1, I will have 2021 budget requests out to all department heads. Which have to be returned to me by September 20. Given the financial state of the state right now, there has been no word on our AIM funding yet – I will be asking each department head for a 15% reduction to their budget, not necessarily in the salary, but in the working part of their budget. The county is trying to implement a new energy tax which I am totally against. The county has already passed a resolution to override the 2% tax cap. They are talking a 12-20% increase to the county budget.

Councilwoman Ellsweig asked that when we schedule the budget workshops that those dates are communicated on the website and in the newsletter so that people know they can attend and not have an issue like we did last year. We will set the budget workshops probably at the October meeting.

**SEXUAL HARASSMENT** – Attorney Jose reminded everyone that they must complete the online sexual harassment training by October 30, 2020.

**COMMITTEE REPORTS –**

**Planning Board** – We had our July meeting via Zoom and a public hearing. The hearing was well attended by 26 people. There is an issue with the DEC regarding lead contamination at the shooting range. They are doing further testing on that. The DEC is preparing comment on the lead issue. The public hearing won't be completed until we receive those comments from the DEC. Our next meeting will be August 25, but the rest of their testing won't be done until September.

There was one other application, which was mine for a lot line improvement. I recused myself and Susan Hawvermale ran the rest of the meeting and my application was completed and approved in one meeting. This is one of the benefits of our new subdivision law.

**Historian** – No report.

**Seniors** – No report.

**Zoning Review** – Our next meeting will be August 11, 2020 from 7-9 p.m. and we will be joined by Freda Eisenberg, Commissioner of the County Planning Department.

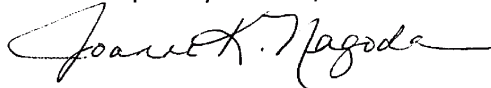
**Grateful Deadheaders** – We are finishing up our work on the Dove garden and we encourage everyone to please stop by and look at it. We had a picture of some of our group members in the Democrat after a workday and our intern is doing a fantastic job. Extra kudos and thanks to Susie Landis and Carmela Hugel who have really designed much of the area. We are making plans to now decorate the area for the holiday season.

**Forestburgh Friends for Fitness** – No report.

**Fire Department** – There will be a drive through Roast Beef Dinner on August 29 from 4 – 8 p.m. for \$13.00. They have been extremely busy working with Orange & Rockland to get power restored since the storm.

**ADJOURNMENT** – MOTION by Councilman Budofsky to adjourn at 8:11 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Joanne K. Nagoda". The signature is fluid and cursive, with a long horizontal stroke at the end.

Joanne K. Nagoda,  
Town Clerk